

# **EXHIBIT 10**

**From:** [Daniel Zemel](#)  
**To:** [David Grassi](#)  
**Cc:** [Chad Diamond](#); [Nicholas Linker](#); [Salley Odom](#); [Chad Echols](#)  
**Subject:** Re: Henry Hallager v. Account Resolution Services, et al., Case No. 5:20-cv-354-BO (E.D.N.C.)  
**Date:** Wednesday, September 1, 2021 4:53:54 PM  
**Attachments:** [image001.png](#)

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Ok David. Like I said, Friday will not work. You can show up, but the cost will be on you. I never previously confirmed the deposition. I did have difficulty reaching the client but we're on track now and Friday won't work. You are free to act as you choose. If you'd like to take the deposition on the 17th instead, that date is in fact available. If you want to spend the day hanging out in Raleigh on Friday, I have no objection to that. It does appear that you wish to do the deposition in person. Is that correct? I will take issue with that.

Concerning your client's deposition, due to the holidays, it will have to be in October. How about October 12-14?

You can consider your [REDACTED] offer rejected so you don't have to wait.

On Wed, Sep 1, 2021 at 4:12 PM David Grassi <[David.Grassi@theecholsfirm.com](mailto:David.Grassi@theecholsfirm.com)> wrote:

Daniel,

I understand you and Chad spoke earlier today. I know he then spoke to our client, but it is important I stay on track regarding the discovery matters as you guys discuss any potential for a resolution.

We initially noticed Mr. Hallager's deposition for June 2, 2021 and served notice of same on April 16, 2021, which is the same day we served written discovery requests. On that same day, I received an email from Steven Benedict indicating receipt of the deposition notice and saying "I will get back to you on if the date works for our client." I received no follow up from him regarding Mr. Hallager's availability. We were forced to postpone that initial deposition because we did not receive the responses to our written discovery in time to review them ahead of taking the deposition. After receiving those responses and going back and forth on them, I requested deposition dates for your client from you on August 11, 2021 and received no response. I therefore properly served the new Notice of Deposition on August 20, 2021 for a deposition date on Friday. Given our discovery deadline of September 17, I cannot agree to move the deposition again and at the last minute. I will be in Raleigh around 11:30 a.m. to start the deposition at noon, and, pursuant to the properly noticed deposition, I expect Mr. Hallager to be present to answer my questions.

As for my client's deposition, please provide me with a few dates when you are available, and I will

check with my client to see if we can make one of them work.

As for the case deadlines, we would oppose an extension since they were extended previously.

Thank you,

**David A. Grassi**

**Attorney**

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**From:** Daniel Zemel <[dz@zemellawllc.com](mailto:dz@zemellawllc.com)>

**Sent:** Wednesday, September 1, 2021 10:18 AM

**To:** Salley Odom <[salley.odom@theecholsfirm.com](mailto:salley.odom@theecholsfirm.com)>

**Cc:** Chad Diamond <[chad.diamond@gmail.com](mailto:chad.diamond@gmail.com)>; Rene <[rtrehy@beasontrehy.com](mailto:rtrehy@beasontrehy.com)>; David Grassi